

BY SUTTON BY REQUEST.]

[SENATE FILE No. 159.—JUDICIARY.]

## A BILL

FOR AN ACT PERMITTING GARNISHEES TO INTERPOSE DEFENSES IN CERTAIN CASES.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That whenever any person or corporation shall be served with garnishment  
2 process and the property, money, dues or other thing in his possession belonging to the  
3 debtor shall be known by the party garnisheed to be exempt to such debtor from the claim  
4 of the plaintiff. Such garnishee may set up in his answers such facts showing such exemp-  
5 tion and the court may hear and determine the facts upon the proofs of the garnishee and  
6 plaintiff as to whether such property, moneys, dues or thing be found to be exempt the gar-  
7 nishee shall be dismissed at the cost of plaintiff. Such defense shall only bind the plaintiff  
8 and the garnishee unless the debtor after due notice as provided by law shall fail to appear  
9 and defend. Nothing herein shall be construed to make it obligatory upon the garnishee  
10 to set up such facts in his answer but his given the right so to do.